

Message Text

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PAGE 01 MOSCOW 15377 242037Z

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
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R 241533Z OCT 75
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC 6043

C O N F I D E N T I A L MOSCOW 15377

EXDIS

E.O. 11652: GDS
TAGS: PFOR, PINT, ETRD, UR, US
SUBJECT: CODEL VANIK PROPOSALS ON TRADE AND EMIGRATION

REF: STATE 251563

1. IN DESCRIBING TO SOVIETS HIS SUGGESTION FOR
RESOLVING MFN AND CREDITS ISSUE, VANIK MADE CLEAR
THAT HE DID NOT BELIEVE LEGISLATION COULD BE CHANGED
BEFORE 1977. WHAT HE SEEMED TO HAVE IN MIND WAS
ARRANGEMENT UNDER WHICH CONGRESS WOULD ACCEPT FROM
PRESIDENT A WAIVER STATEMENT WHICH DID NOT IN FACT
MEET ALL TERMS OF AMENDMENT.

2. REGARDING ASSURANCES, IN PARTICULAR, HE SAID
THAT -- GIVEN PRECONDITION OF A SIGNIFICANT UPTURN IN
EMIGRATION FIGURES AND PERHAPS RELEASE OF PROMIENT
REFUSENIKS--HE WOULD SUPPORT ACCEPTANCE OF
PRE-ARRANGED STATEMENT FROM PRESIDENT ALONG THE LINES
THAT PRESIDENT "FELT ASSURED" WAIVER WOULD SERVE
ENDS OF AMENDMENT. THUS, ANY IMPLICATION THAT DIRECT
ASSURANCES HAD BEEN RECEIVED FROM SOVIETS WOULD
BE AVOIDED.

3. REGARDING 18 MONTH RESTRICTION, VANIK'S THINKING
IS LESS CLEAR TO US. HE INDICATED REPEATEDLY TO
SOVIETS HIS WILLINGNESS TO GO ALONG WITH "TWO-YEAR
WAIVER," STATING EXPLICITLY THAT THREE YEARS WAS
CONFIDENTIAL

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PAGE 02 MOSCOW 15377 242037Z

NOT POLITICALLY POSSIBLE. WE DO NOT KNOW HOW HE

ARRIVED AT TWO-YEAR TIME SPAN FOR WAIVER, EXCEPT THAT HE FELT THIS WAS MAXIMUM PERIOD CONGRESS WOULD ALLOW.

4. VANIK'S GENERAL POSTURE WITH SOVIETS WAS THAT HE WAS MAKING A PROPOSAL AND THAT ONLY TACIT SOVIET ACCEPTANCE -- INDICATED BY RISE IN EMIGRATION FIGURES-- WOULD BE NECESSARY TO BRING INTO EFFECT. IN OTHER WORDS, HE DID NOT ANTICIPATE THE NECESSITY OF FURTHER NEGOTIATION WITH SOVIETS (BY EITHER EXECUTIVE OR LEGISLATIVE BRANCHES) TO FIND THE SOLUTION. HE SAID THAT HE WAS CONFIDENT THAT THE HOUSE COULD CARRY THE HOUSE BY TESTIFYING THAT HE SAW NO MAJOR PROBLEM WITH CURRENT SOVIET EMIGRATION POLICY--ASSUMING THAT LEADERSHIP OF AMERICAN JEWISH LEADERSHIP WOULD SIMILARLY TESTIFY (AND HE THOUGHT IT WOULD).IF HOUSE APPORVED BY LARGE MAJORITY, HE JUDGED THAT SENATE LIKELY TO GO ALONG, EVEN OVER OPPOSITION OF SOME MEMBERS.

5. BEING UNDER STRICT INSTRUCTIONS NOT TO VOLUNTEER COMMENT ON THIS ISSUE, WE ADOPTED A PURELY LISTENING POSTURE AND DID NOT ATTEMPT TO PROBE THE PRECISE LEGAL MECHANICS VANIK ENVISIONS TO MAKE HIS CONCEPT WORK. IT IS OUR IMPRESSION, HOWEVER, THAT VANIK'S PROPOSAL DIFFERS SIGNIFICANTLY FROM "ROMANIAN" SOLUTION, SINCE IT WOULD IN EFFECT DISPENSE WITH NECESSITY FOR ASSURANCES IN ANY FORM FROM SOVIETS.

6. DURING VANIK'S STAY, SOVIETS REACTED WITH INCREASING INTEREST TO WHAT HE HAD TO SAY. OTHER THAN OCCASIONAL EFFORTS TO RESTATE STANDARD POSTION, THEY OFFERED NO COMMENT AND VANIK DID NOT SEEK IT.

7. VANIK INDICATED BOTH TO US AND TO SOVIETS THAT IN HIS JUDGMENT CURRENT POLITICAL MOOD IN CONGRESS REGARDING TRADE AND EMIGRATION WOULD SUPPORT "PRAGMATIC" SOLUTION ALONG LINES HE PROPOSED. WE DO NOT KNOW HOW THOROUGHLY HE HAD CONSIDERE LEGAL ASPECTS, BUT HE SEEMED CONVINCED THESE COULD BE IRONED OUT. WE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MOSCOW 15377 242037Z

THEREFORE BELIEVE DEPARTMENT FOLLOW-UP, AS PER PARA ON REFTEL, FULLY MERITED.

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRADE LAW, TRADE AGREEMENTS, EMIGRANTS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 OCT 1975
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975MOSCOW15377
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750370-1097
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751020/aaaaarmn.tel
Line Count: 110
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: 75 STATE 251563
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 12 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 JUN 2003 by ShawDG>; APPROVED <03 NOV 2003 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CODEL VANIK PROPOSALS ON TRADE AND EMIGRATION
TAGS: PFOR, PINT, ETRD, UR, US, (VANIK, CHARLES A)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006